

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MARYLAND
(Baltimore Division)**

In re:

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F.T. SILFIES, INC.,

*

Case No: 09-15049
(Chapter 11)

Debtor.

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* * * * *

In re:

*

PRICE TRUCKING, INC.

*

Case No: 09-15044
(Chapter 11)

Debtor.

*

(Jointly Administered under
Case No. 09-15049)

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**APPLICATION FOR AUTHORITY TO EMPLOY COLE,
SCHOTZ, MEISEL, FORMAN & LEONARD, P.A. AS COUNSEL
TO THE OFFICIAL COMMITTEE OF UNSECURED CREDITORS**

The Official Committee of Unsecured Creditors of F.T. Silfies, Inc. and Price Trucking, Inc. (the “Committee”), pursuant to sections 327(a) and 328(a) of the United States Bankruptcy Code (the “Bankruptcy Code”) and Rule 2014 of the Federal Rules of Bankruptcy Procedure (the “Bankruptcy Rules”), respectfully requests the entry of an Order authorizing the retention and employment of Cole, Schotz, Meisel, Forman & Leonard, P.A. (“Cole Schotz”) as counsel to the Committee, effective as of April 13, 2009. In support of this Application, the Committee respectfully represents as follows:

Jurisdiction and Venue

1. This Court has jurisdiction over this Application pursuant to 28 U.S.C. §§ 157 and 1334. Venue of this proceeding and this Application is proper in this District pursuant to 28 U.S.C. §§ 1408 and 1409. This is a core proceeding pursuant to 28 U.S.C. § 157(b)(2).

2. The statutory predicate for the relief sought herein are Sections 327 and 328 of the Bankruptcy Code.

Introduction

3. On March 25, 2009, F.T. Silfies, Inc. and Price Trucking, Inc. (together, “Debtors”) each filed voluntary petitions for relief under Chapter 11 of the Bankruptcy Code with this Court.

4. On April 9, 2009, the Office of the United States Trustee for the District of Maryland (the “U.S. Trustee”) appointed the members of the Committee. The members of the Committee are: Hale Trailer Brake & Wheel, Inc.; Berks Products Corporation; Trans Tech Logistics, Inc.; Dennis David Price; Service Tire Truck Centers, Inc.; Griffith Energy Services, Inc.; and Carroll Independent Fuel.

5. On April 13, 2009, the Committee selected Cole Schotz to serve as its counsel.

Relief Requested

6. By this Application, the Committee respectfully requests the entry of an Order pursuant to Sections 327(a) and 328(a) of the Bankruptcy Code authorizing it to employ and retain Cole Schotz as its counsel to perform legal services that will be necessary or appropriate during these Chapter 11 cases. Specifically, the Committee seeks to retain Cole Schotz to perform the following legal services:

- a. advise the Committee with respect to its rights, duties and powers in these chapter 11 cases;

- b. assist and advise the Committee in its consultations with the Debtors relative to the administration of these chapter 11 cases;
- c. assist the Committee in analyzing the claims of the Debtors' creditors and the Debtors' capital structure;
- d. assist the Committee in its investigation of the acts, conduct, assets, liabilities and financial condition of the Debtors and of the operation of the Debtors' businesses;
- e. assist the Committee in its analysis of, and negotiations with, the Debtors or any third party concerning matters related to, among other things, the assumption or rejection of certain leases of nonresidential real property and executory contracts, asset dispositions, financing of other transactions and the terms of one or more plans of reorganization for the Debtors and accompanying disclosure statements and related plan documents;
- f. assist and advise the Committee in communicating with unsecured creditors regarding significant matters in these chapter 11 cases;
- g. represent the Committee at hearings and other proceedings;
- h. review and analyze applications, orders, statements of operations and schedules filed with the Court and advise the Committee as to their propriety;
- i. prepare pleadings and applications as may be necessary or desirable in furtherance of the Committee's interests and objectives; and
- j. perform such other legal services as may be required or are otherwise deemed to be in the interests of the Committee in accordance with the Committee's powers and duties as set forth in the Bankruptcy Code, Bankruptcy Rules or other applicable law.

7. The Committee seeks to retain Cole Schotz as its counsel because of the firm's extensive experience and knowledge in the field of debtors' and creditors' rights and business reorganizations under Chapter 11 of the Bankruptcy Code. The Committee therefore believes that Cole Schotz is well qualified to represent it in these Chapter 11 cases.

8. Subject to Court approval in accordance with section 330(a) of the Bankruptcy Code, the Committee proposes that Cole Schotz be paid its customary hourly rates in effect when

services are performed, for services rendered to other clients in bankruptcy and non-bankruptcy matters, plus reimbursement of actual, necessary expenses incurred by the law firm. The current hourly rates of the Cole Schotz professionals primarily expected to work on behalf of the Committee are set forth in Exhibit 1 hereto. These hourly rates are subject to periodic adjustment.

9. It is Cole Schotz's policy to charge its clients for all other expenses incurred in connection with the client's case. The expenses charged to clients include, among other things, telephone and facsimile and other charges, mail and express mail charges, special or hand delivery charges, photocopying charges at the rate of 20¢ per page, travel expenses, computerized research, transcription costs, as well as non-ordinary overhead expenses such as secretarial and other overtime. Cole Schotz will charge for these expenses in a manner and at rates consistent with charges made generally to its other clients, subject to the Court's Compensation Guidelines for Professionals.

10. As further described in the Statement under Bankruptcy Rule 2016 and Affidavit of G. David Dean in Support of this Application (the "Dean Affidavit"), attached hereto as Exhibit 1, to the best of the Committee's knowledge, based upon and as set forth in the Dean Affidavit, Cole Schotz has not represented the Debtors, their creditors, any person employed at the U.S. Trustee's office, any other parties-in-interest, or their respective attorneys and accountants, in any matters relating to the Debtors or their estates.

11. To the best of the Committee's knowledge, based upon and as set forth in the Dean Affidavit, Cole Schotz does not hold or represent any interest adverse to the Debtors, their creditors, any person employed at the U.S. Trustee's office, any other parties-in-interest, or their respective attorneys and accountants. Cole Schotz therefore is a "disinterested person" as that

phrase is defined in section 101(14) of the Bankruptcy Code, and Cole Schotz's employment is necessary and in the best interests of these estates.

12. Cole Schotz will apply to this Court for the allowance of compensation and reimbursement of expenses in accordance with the applicable provisions of the Bankruptcy Code, Bankruptcy Rules, and the Local Rules of this Court.

Notice

13. The Committee has provided notice of this Application to: (a) the Office of the U.S. Trustee; (b) counsel to the Debtors; and (c) all parties who have requested service of pleadings in these cases. In light of the nature of the relief requested, the Committee submits that no further notice is required.

WHEREFORE, the Committee respectfully requests that the Court enter an Order: (a) granting this Application; (b) authorizing the Committee to retain and employ Cole Schotz as counsel to the Committee, effective as of April 13, 2009; and (c) granting the Debtor such other relief as the Court deems just and proper.

Dated: April 14, 2009

/s/ Michael L. King
Michael L. King
Griffith Energy Services, Inc.
6996 Columbia Gateway Drive
Suite 202
Columbia, MD 21046

Chairman of the Official Committee
of Unsecured Creditors of F.T.
Silfies, Inc. and Price Trucking, Inc.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on April 14, 2009, the foregoing Application for Authority to Employ Cole, Schotz, Meisel, Forman & Leonard, P.A. as Counsel to the Official Committee of Unsecured Creditors Entry of Appearance and Request for Notices was sent to the parties listed below by first-class mail, postage-prepaid, unless said party is a registered CM/ECF participant who has consented to electronic notice, and the Notice of Electronic Filing indicates that Notice was electronically mailed to said party, to:

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/s/ G. David Dean _____
G. David Dean